

FILED BY cg D.C.05 JUL 19 PM 4: 44 IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISIONTHOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHISFILED BY cas D.C.

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHISIN RE: ELECTRONIC SURVEILLANCE
ORDER 05-WT-001 and EXTENSIONS.

05-20201

05-20202

05-20203

✓ 05-20204-B
No. 05-WT-001

05-20205

MOTION GRANTED

JON PHIPPS McALLISTER
U.S. DISTRICT JUDGE
July 19, 2005MOTION TO ALLOW DISCLOSURE OF
SEALED TITLE III MATERIALS IN DISCOVERYThis document entered on the docket sheet in compliance
with Rule 55 and/or 32(b) FRCP on 7-20-05

Comes now the United States of America, and hereby requests the Court to authorize the provision to defense counsel in *United States v. Ward Crutchfield and Charles Love*, 05-20204-B; *United States v. Chris Newton and Charles Love*, 05-20205-M1; *United States v. John Ford*, 05-20201-B; *United States v. Roscoe Dixon and Barry Myers*, 05-20202-M1; and *United States v. Kathryn Bowers and Barry Myers*, 05-20203-M1 of copies of the following:

1. Redacted portions of Title III applications, orders and affidavits in Miscellaneous No. 05-WT-001(W.D.TN.) and all orders, applications and affidavits submitted requesting extension or modification of that order.
2. Copies of audio and visual interceptions which were obtained as a result of said orders, to the extent that said interceptions are relevant as discovery material, or other material appropriately furnished to defense counsel.

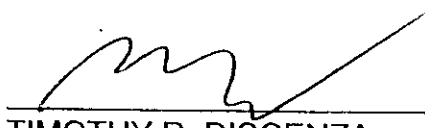
At the government's request, sealing orders were issued to preserve the integrity of the ongoing investigation. The government is seeking the Court's permission to provide in

discovery documents that were submitted to the Court to obtain said order and the fruits of investigation as appropriately disclosed to the defense attorneys in the above-captioned cases.

The United States also requests that it be allowed to redact said applications, orders and affidavits, editing those matters that are not material to the current indictments, as the affidavits, orders and applications contain information concerning lines of investigation that are not yet completed and individuals who have not been charged in a criminal case. If this information is disclosed to the general public, those lines of investigation may be compromised. In addition, the rights of individuals mentioned but not charged may be prejudiced. For these reasons, the government also requests that the disclosure be limited to providing the discovery to defense counsel and their clients, and that the documents made available to the attorneys for the defendants be subject to a protective order limiting the dissemination of this information.

Respectfully submitted,

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UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I, TIMOTHY R. DISCENZA, Assistant United States Attorney for the Western District of Tennessee, hereby certify that a copy of the foregoing Motion and the proposed order were mailed, first class postage prepaid, to the following:

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This 5 day of June, 2005.

Respectfully submitted,
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UNITED STATES ATTORNEY

By: 
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Assistant United States Attorney



Notice of Distribution

This notice confirms a copy of the document docketed as number 40 in case 2:05-CR-20204 was distributed by fax, mail, or direct printing on July 20, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT